

Panaji, 10th August, 1989 (Sravana 19, 1911)

SERIES II No. 19

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA

### GOVERNMENT OF GOA

#### Education Department

Order

No. 23/1/89/Education/Quepem

Read: Govt. Order No. 16/54-89-Adm-1/344 dated 8-5-1989.

Shri Oscar C. N. De Noronha is hereby temporarily appointed on ad hoc basis as Lecturer in English in Government College of Arts & Commerce Quepem under the Directorate of Education with effect from 1-7-1989 (B.N.) in the scale of Rs. 2200-4000/- plus the usual allowances admissible from time to time with the initial pay of Rs. 2200/-.

The appointment is initially for a period of one year and is subject to the conditions specified in the office Memorandum No. 21/Misc/2616/EDN dated 16-6-1989 and the Rules and Regulation laid down by the Government from time to time.

The appointment is purely on ad hoc basis and it will not bestow on the appointee any claim for regular appointment, promotion to the higher post and seniority and will be liable to be terminated by one month's salary in lieu of notice.

The appointment is liable for termination in case the character and antecedents of the appointee are adverse so as to disqualify him from the holding of a post under Government.

By order and in the name of the Governor of Goa.

*D. N. Accavade*, Under Secretary (Education).

Panaji, 20th July, 1989.

Order

No. 22/1/89/Education

Read: Govt. Order No. 16-53-89-ADM.I dated 29-6-1989.

Kum. Seema Jayaram Kavari is hereby temporarily appointed on ad hoc basis as Lecturer in Economics in Government College of Arts and Commerce, Khandola under the Directorate of Education, Panaji with effect from 29-6-1989 (B.N.) in the scale of Rs. 2200-4000 plus the usual allowances admissible from time to time with the initial pay of Rs. 2200/-.

The appointment is initially for a period of one year and subject to the condition specified in the office Memorandum No. 21/Misc/2616/89/EDN dated 6-6-1989 and the Rules and Regulation laid down by the Government from time to time.

The appointment is purely on ad hoc basis and it will not bestow on the appointee any claim for regular appointment, promotion to the higher post and seniority and will be liable to be terminated by one month's salary in lieu of notice.

The appointment is liable for termination in case the character and antecedents of the appointee are adverse so as to disqualify her from the holding of a post under Government.

By order and in the name of the Governor of Goa.

*D. N. Accavade*, Under Secretary (Education).

Panaji, 25th July, 1989.

#### Civil Supplies Department

Notification

No. 11/14-7/87-CSD

In exercise of the powers conferred by clause (a) of section 9 of the Consumer Protection Act, 1986 (Central Act 68 of 1986), and with the prior approval of the Central Government conveyed vide telegram No. 9/14/87-CPU dated 11-7-1989, the Government of Goa is pleased to establish Consumer Disputes Redressal Forum for each of the two Districts of the State of Goa consisting of the following:

1. Shri M. Raghuchander, ILS.(Retd.), Former Law Secretary, Government of Goa — President.
2. Shri L. J. Dennis, Teacher, St. Xavier's High School Curtorim, Margao - Goa — Member.
3. Smt. Inez Cotta Carvalho, Lady Social Worker, Margao - Goa — Member.

The Consumer Disputes Redressal Forum will start functioning with effect from 1st August, 1989.

By order and in the name of the Governor of Goa.

*M. M. Lal*, Secretary (Civil Supplies).

Panaji, 19th July, 1989.

#### Revenue Department

Notification

No. 22/97/89-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for construction of approach road to Pirwada at Betul in V. P. Cananguinim Naqueri in Quepem (addl. area).

Now, Therefore, the Government hereby notifies, under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or

other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Deputy Collector/S.D.O. Quepem to perform the functions of a Collector South Goa District, Margao under the said Act in respect of the said land.

5. The Government also authorise under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. The Deputy Collector/S.D.O. Quepem.
3. The Executive Engineer, W. D. XVIII (R & B) P.W.D. Ponda Goa.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector/S.D.O. Quepem for a period of 30 days from the date of publication of this Notification in Official Gazette.

#### SCHEDULE

(Description of the said land)

Taluka: Quepem

Village: Quitol

Survey No. Sub. Div. No.	Name of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
59/4 part	Abdul Rashid Khan.	20.00
48/7 part	Gustao Monteiro. Colvesda D'Costa.	275.00
<b>Boundaries:</b>		
North: S. No. 59/3, 48/1.		
South: S. No. 59/4, 48/7.		
East: S. No. 49/2, 48/2.		
West: S. No. 59/3, 48/1, 48/8.		
Total .....		295.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 19th July, 1989.

#### Notification

No. 22/98/89-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for the area above submergence at village Ponsuli for Anjunem Irrigation Project.

And Whereas in the opinion of the Government the provisions of sub-section (1) of section 17 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), are applicable.

Now, therefore, the Government hereby notifies under sub-section (1) of section 4 of the said Act that the said land is likely to be needed for the purpose specified above.

The Government further directs under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of section 3 of the said Act, the Special Land Acquisition Officer Irrigation Department Duler Mapusa to perform the functions of a Collector North Goa District, Panaji under the said Act in respect of the said land.

5. The Government also authorises, under sub-section (2) of section 4 of the said Act, the following officers to do the acts specified therein in respect of the said land.

1. The Collector, North Goa District, Panaji.
2. The Special Land Acquisition Officer, Irrigation Department Duler Mapusa.
3. The Executive Engineer, Works Division V Anjunem Irrigation Project Kerim Satari.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Special Land Acquisition Officer, Irrigation Department Duler Mapusa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

#### SCHEDULE

(Description of the said land)

Taluka: Satari

Village: Ponsuli

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
1/1 part	O: Shri Rama Deu Gawas. Shri Bhikaji Deu Gawas. Shri Laxman Deu Gawas. Kashiram Budaji Salelkar. Chandrakant Budaji Salelkar. Fati Budaji Salelkar. North: Nala, S. No. 3/1 & 1/2. South: Nala, Survey No. 2/1. East: S. No. 3/1, 2/1. West: Nala.	17150.00
2/3	O: Shri Rama Kamne Desai. Shri Laximan Kamne Dessai. Shri Yeshwant Ladu Dessai. North: S. No. 3/1. South: S. No. 1/1. East: S. No. 1/1. West: S. No. 1/1.	1625.00
2/1 part	O: Shri Khema Babi Gawas. Shri Rajgo Vishnu Gawas. North: S. No. 1/1 & 3/1. South: Nala, Part of S. No. 2/1. East: S. No. 3/1, 3/2, Nala. West: S. No. 1/1, Part of S. No. 2/1.	11025.00
3/2	O: Smt. Jaishree Naik. North: S. No. 2/1 & 3/1. South: Nala. East: S. No. 3/1. West: S. No. 2/1.	1525.00

1	2	3
3/3	O: Shri Rama Deu Gawas. North: S. No. 3/1. South: Nala. East: Nala. West: S. No. 3/1.	2400.00
7/1 part	O: Shri Rama Deu Gawas. Shri Bhikaji Deu Gawas. Shri Laximan Deu Gawas. North: Nala. South: S. No. 7/2. East: S. No. 7/2 & Nala. West: Part of S. No. 7/1.	775.00
8/1	O: Shri Rama Ladu Naik. North: Nala. South: Road, S. No. 5. East: S. No. 8/2 and Nala. West: S. No. 9/2 & 9/4.	10450.00
9/2 part	O: 1. Shri Narayan Fati Salelkar. 2. Shri Mahadev Fati Salelkar. 3. Shri Rajaram Fati Salelkar. 4. Shri Kashiram Budaji Salelkar. 5. Chandrakant Budaji Salelkar. 6. Fati Budaji Salelkar. North: Nala, Part of S. No. 9/2. South: S. No. 9/4 & 8/1. East: Nala, Survey No. 8/1. West: Part of S. No. 9/2.	2025.00
9/4 part	O: Shri Rama Budo Gurav. North: S. No. 9/2. South: Part of S. No. 9/4, Road. East: S. No. 8/1. West: Part of S. No. 9/4.	1875.00
10/3 part	O: Shri Rama Kamne Dessai. Shri Laximan Kamne Dessai. Shri Yeshwant Ladu Dessai. North: S. No. 10/1 & 10/2. South: Nala. East: Nala, S. No. 10/2. West: S. No. 12/3.	5275.00
12/2 part	O: Shri Bablo Appa Salelkar. North: Nala, S. No. 12/1. South: S. No. 12/3. East: S. No. 12/1 & S. No. 11 & 12/3. West: Nala, Part of S. No. 12/2, S. No. 12/3.	1725.00
12/3 part	O: Shri Fati Govind Tanodi. North: S. No. 12/2. South: Part of S. No. 12/3. East: S. No. 12/2. West: Part of S. No. 12/3.	350.00
22/3 part	O: Shri Narayan Fati Salelkar. Shri Kashiram Budaji Salelkar. Shri Chandrakant Budaji Salelkar. Shri Fati Budaji Salelkar. Shri Mahadev Fati Salelkar. Shri Rajaram Fati Salelkar. North: S. No. 22/2 & S. No. 29. South: S. No. 26/1 (Foot part). East: S. No. 29. West: S. No. 22/2 part of S. No. 22/3.	600.00
28/2 part	O: 1. Shri Bhausaheb Raghoba Rane. 2. Shri Bacharam Viswasrao Rane. 3. Smt. Savitri Dattaram Rane. 4. Shri Venkatrao Viswasrao Rane. 5. Smt. Pirta Bhausaheb Rane. North: S. No. 40/7, 28/1, Nala. South: S. No. 27/2 & 27/1. East: Nala, Part of S. No. 28/2. West: S. No. 29, 26/1.	15200.00
40/3	O: Shri Venkatrao Viswasrao Rane. Shri Bhausaheb Raghoba Rane.	1200.00

1	2	3
	North: Nala. South: S. No. 40/1. East: Nala. West: S. No. 40/1.	
40/4	1. Shri Laximan Masso Tanodi North: S. No. 40/6. South: Nala, S. No. 40/6. East: S. No. 40/6. West: Nalla.	1875.00
40/6	O: 1. Shri Bhausaheb Raghoba Rane. 2. Shri Narayanrao Balasaheb Rane. 3. Shri Sitaram Balasaheb Rane. 4. Shri Venkatrao Viswasrao Rane. North: S. No. 39/5, 39/6, 39/7. South: Nalla. East: Nalla. West: S. No. 40/1, 40/4 and Nalla.	11025.00
40/7	O: Shri Bhausaheb Raghobarao Rane. North: S. No. 40/5. South: S. No. 29, 28/2. East: S. No. 28/1. West: S. No. 29.	1700.00
Total .....		87800.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 20th July, 1989.

#### Notification

No. 22/78/88-RD

Whereas by Government Notification No. 22/78/88-RD dated 29-6-1989 published on (Extraordinary) of Series II, No. 41 of the Official Gazette, dated 16-1-1989 and in two newspapers (1) Herald dated 6-7-1988, (2) Rashtramat dated 8-7-1988 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land, specified in the Schedule appended to the said Notification was likely to be needed for the public purpose viz. Land Acquisition for PHE Complex at Borda, Margao (Addl. area).

And Whereas, the Government of Goa (hereinafter referred to as "the Government"), after considering the report made under sub-section (2) of section 5A of the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to as "the said land").

Now, Therefore, the Government hereby declares, under section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also appoints, under clause (c) of section 3 of the said Act, the Dy. Collector and S.D.O., Mormugao, Vasco-da-Gama to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the said Dy. Collector and S.D.O., Mormugao, Vasco-da-Gama till the award is made under section 11.

#### SCHEDULE

(Description of the said land)

Taluka: Salcete

City: Margao

P. T. Sheet No. Chalta No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
133/20 part	Elvinal Gracias Ferreiro.	2500.00
195/1 part	Comunidade of Margao.	715.00
173/23 part	V. J. Kamat.	55.00

1	2	3
<b>Boundaries:</b>		
North: Chalta No. 20/PTS 133.		
South: Chalta No. 20 PTS 133, Chalta No. 23/PTS 173, Chalta No. 1 PTS/195.		
East: Chalta No. 11/PTS 173, Chalta No. 15/PTS 173, Chalta No. 16/PTS 173, Chalta No. 17/PTS 173, Chalta No. 18/PTS 173, Chalta No. 19/PTS 173, Chalta No. 20/PTS 173, Chalta No. 1/PTS 195.		
West: Chalta No. 20/PTS 133, Chalta No. 1/PTS 195.		
Total .....		3270.00

By order and in the name of the Governor of Goa.  
**P. S. Nadkarni**, Under Secretary (Revenue).  
Panaji, 20th July, 1989.

## Notification

No. 22 '93/89-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for UHF Telecommunication links at Curchorem in Quepem Taluka.

And Whereas in the opinion of the Government the provisions of sub-section (1) of section 17 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), are applicable.

Now, Therefore, the Government hereby notifies under sub-section (1) of section 4 of the said Act that the said land is likely to be needed for the purpose specified above.

The Government further directs under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Deputy Collector/S.D.O., Quepem to perform the functions of a Collector North Goa District, Panaji/South Goa District, Margao under the said Act in respect of the said land.

5. The Government also authorises, under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector South Goa District, Margao.
2. The Deputy Collector/S.D.O., Quepem.
3. The Director of Industries and Mines, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector/S.D.O., Quepem for

a period of 30 days from the date of publication of this Notification in the Official Gazette.

## SCHEDULE

(Description of the said land)

Taluka: Quepem

Village: Curchorem

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
101 part	Durganand R. Sanvordekar.	2500.00
<b>Boundaries:</b>		
North: S. No. 101.		
South: S. No. 101.		
East: S. No. 101 & 147.		
West: S. No. 101.		
Total .....		2500.00

By order and in the name of the Governor of Goa.  
**P. S. Nadkarni**, Under Secretary (Revenue).  
Panaji, 25th July, 1989.

## Notification

No. 10/7/87-RD

Read: — 1. Notification No. 10/7/87-RD dated 22-9-1987.  
2. Notification No. 10/7/87-RD dated 27-10-1987.

In exercise of the powers conferred by clause (a) of sub-section (2) and sub-section (3) of section 41 of the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act No. 2 of 1989), the Government of Goa is pleased to appoint the following officer as Authorised Officer and Additional Controller for the purpose of the said Act and to further direct that he should perform the functions of an Authorised Officer under the provisions of the said Act, mentioned in the corresponding entry in column 3 within respective jurisdiction in the district specified in the corresponding entry in column 4 of the Schedule.

## SCHEDULE

Sr. No.	Officer	Officer under the Act	Jurisdiction
1	2	3	4
1.	Additional Deputy Collector, Mapusa Sub-Division-Mapusa	Additional Rent Controller	North Goa District.

By order and in the name of the Governor of Goa.  
**P. S. Nadkarni**, Under Secretary (Revenue) to the Government of Goa.  
Panaji, 25th July, 1989.

## Notification

No. 22/101/89-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. Land Acquisition for construction of road from Costi to Costimol in V. P. Kalay in Sanguem Taluka.

Now, Therefore, the Government hereby notifies, under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Dy. Collector (Dev.), Collectorate of South Goa, Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises, under sub-section (2) of section 4 of the said Act, the following officers to do the acts specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. The Dy. Collector (Dev.), Collectorate of South Goa, Margao.
3. The Executive Engineer, W. D. XVIII (R & B) P.W.D., Ponda.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Dy. Collector (Dev.), Collectorate of South Goa, Margao for a period of 30 days from the date of publication of this Notification in Official Gazette.

#### SCHEDULE

(Description of the said land)

Taluka: Sanguem

Villages: Costi

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
18/4	H: Dr. Jose Mario Furtado.	200.00
18/5	H: Fr. Antonio Francisco Vaz de Conceicao.	425.00
18/6	H: Dr. Jose Mario Furtado.	425.00
21 part	H: Sociedade Patriotica dos Baldidos de Novas conquistas.	7500.00
23/1	H: Fr. Antonio Francisco Vaz de Conceicao.	300.00
23/2	H: Dr. Jose Mario Furtado.	350.00
22/1	H: Sociedade Patriotica dos Baldidos de Novas conquistas.	1500.00
27/1	H: — do — T: Baburai Fondu Naik.	400.00
27/3	H: Sociedade Patriotica dos Baldidos de Novas conquistas.	3000.00
44	H: — do — T: 1. Antulo Naik Tari. 2. Shaba Shuba Naik.	650.00
46/2	H: Sociedade Patriotica dos Baldidos de Novas conquistas. T: Antulo Naik Tari. Shoba Suba Naik.	50.00
46/3	H: Sociedade Patriotica dos Baldidos de Novas conquistas. T: 1. Antulo Naik Tari. 2. Shoba Suba Naik.	3750.00

1	2	3
<b>Boundaries:</b>		
North: Road, Nala, S. No. 27/3. S. No. 46/2, 3, S. No. 42.		
South: Nala, Village Mugali.		
East: S. No. 18/4, 5, 6, S. No. 44.		
West: S. No. 42, S. No. 40, S. No. 41, Road.		
Total .....		18550.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 27th July, 1989.

#### Department of Mines

##### Notification

No. 5/14/89-ILD

In exercise of the powers conferred by clause (iv) of rule 4 of the Goa, Daman and Diu Minor Mineral Concession Rules, 1985 and in partial modification of the Government Notification No. 5-108/75-IPD dated 6-11-1975, the Government of Goa is pleased to specify the below mentioned beaches in respect of which no quarrying lease shall be granted in the case of minor minerals within a distance of 500 metres from the high water mark: —

Pernem: Arambol, Kerim, Morjim.

Bardez: Vagator, Anjuna, Baga, Calangute, Candolim, Sinquerim, Nerul, Quegdevelim, Ozran.

Tiswadi: Miramar, Campal, Marivela, Dona Paula, Bambolim and Siridao.

Mormugao: Baina, Bogmallo, Isorcim, Velcao and Cansaulim.

Salcete: Utorda, Majorda, Betalbatim, Varca, Carmona, Colva, Benaulim, Fatrade, Caveiossim and Mobor.

Canacona: Agonda, Palolem and Galgibaga.

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Mines).

Panaji, 20th July, 1989.

#### Department of Labour

##### Order

No. 28/29/89-ILD

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Tata Engineering and Locomotive Co. Ltd., Bombay, and their workman Shri K. B. Hattangadi in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu at Panaji-Goa constituted under section 7-A of the said Act.

##### SCHEDULE

"Whether the action of the management of M/s. Tata Engineering and Locomotive Co. Ltd., Bombay, having its Sales Officer at Margao, Goa in dismissing the servi-

ces of Shri K. B. Hattangadi, workman, with effect from 7-6-1985 is legal and justified?

If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

*Subhash V. Elekar*, Under Secretary (Labour).

Panaji, 18th July, 1989.

Order

No. 28/2/88-ILD

The following order issued by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Dispute Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

*Subhash V. Elekar*, Under Secretary (Labour).

Panaji, 20th March, 1989.

**IN THE LABOUR COURT  
GOVERNMENT OF GOA  
AT PANAJI**

(Before Shri S. V. Nevagi, Hon'ble Presiding Officer)

Appl. No. LCC/7/85

Shri Gil De Sa Coelho — Applicant  
V/s

M/s Salgaocar Engineers Pvt. Ltd. — Opponent

Applicant represented by Shri R. V. Gaitonde.

Opponent represented by Adv. Nutan Sardessai.

Panaji, Dated: 31-1-1989

**ORDER**

A very small and short point is involved in this application filed by an ex-employee requiring this court to examine and investigate his claim for past dues as required u/s 33 C (2) of the I.D.A., 1947. The applicant served with the Opponent as Accounts Div. Officer in 1981 and 1982 and his salary was Rs. 920/- p.m. then. In 1983 his salary was revised to give him consolidated pay of Rs. 1200/- per month. He was relieved from service in 198 and at that time he was paid Rs. 1504.66 as notice pay for 37 days and the applicant accepted this amount after 2nd March 1985 without prejudice to his letter dt. 14-3-85. This amount is calculated upto 2nd March, 1985 but received by applicant some time after 14-3-85 there being no date on annexure 4 showing the payment. Anyway thereafter the applicant filed the present application on 15th May, 1985 claiming the following dues.

1. Rs. 3840 — Notice pay for 90 days.
2. Rs. 2261.30 — Encashment of earned leave for 53 days
3. Rs. 664 — Increments not paid for 1981 and 1982.

After notice the management of Opponent appeared and took basic objection to the maintainability of the application u/s 33 C (2) of the I.D.A. on the ground that the applicant is not a workman within the meaning of the term as defined u/s 2(s) of the Act. My Predecessor framed the following issues:

1. Whether the employer proves that this application is not maintainable, as the applicant is not a workman within the meaning of Section 2(s) of the Act, he being an Officer of the Company and, his pay being Rs. 1,525/- p.m.
2. Whether the workman proves that he is entitled to the amounts claimed?

**MY FINDINGS:**

1. Issue No. 1 — No.
2. Issue No. 2 — Rs. 4597/- only.

**REASONS:**

Issue No. 1 — The general suggestion on behalf of the Opponent management is that the applicant was doing such work which can be said to be the work done in managerial capacity. A careful scrutiny of the whole evidence on record shows that there is no evidence showing that the applicant was dealing with policy matters or was inviting quotations. The mere designation as Accounts Officer in purchase Dept., would not show him as an employee doing managerial work. Even the witness of Opponent Suresh Lawande states that applicant who was his colleague was doing the work connected with purchases namely local purchases, dealing with customs and purchases connected with banks. I do not know how with this sort of work an employee would be termed as an Officer doing managerial work. In the Calcutta case relied upon by the applicant reported in Labour Law Notes, 1986 II, page 134 the applicant was at times termed by the management as a part of the management. "A mere user of the term would not make the employee discharging mainly managerial and administrative functions. Such fact is required to be established by cogent evidence". The above observation is made by the Calcutta High Court relying on AIR 1958 SC page 130 and AIR 1957 SC, page 408. A careful consideration of the evidence and the letters of appointment show that the applicant was initially appointed as a junior officer in grade IV and subsequently he was promoted as Jr. Officer in grade III. This by itself need not make him an officer working in managerial capacity. I therefore hold that the applicant is a workman within the meaning of Sec. 2(s) of the Act and this application is maintainable.

Issue No. 2 — Adverting then to the claim made by the applicant, I find that the management of Opponent in its W. Statement dated 28th June, 1985 have not challenged the details of the claim made by the applicant and its basic objection was to the tenebity of the application and this objection is already over-ruled by me as stated above. About the claims the annexure 4 prepared by the management shows the details payable to the applicant which includes salary for Feb., and March, 1985 and notice pay of Rs. 1504/-. It is a common ground that a notice of 3 months for termination was required on either side and this is clear in the letter of appointment Annexure 1 and the management's letter Annexure 2. So the applicant will be entitled to notice pay for 3 months which comes to Rs. 3840/-. A leave for 53 days was to his credit for which he claims Rs. 2261 at Rs. 1220 per month. I grant this claim also. The total of the two comes to Rs. 6101 the small claim of 30 paise being negligible. The management has admittedly paid the applicant Rs. 1504/- and odd admittedly. After deducting this amount the applicant will be entitled to Rs. 4597/- and I grant this much claim.

The applicant has claimed dues on account of increment for 1981-82. I feel that the applicant is not entitled to any increment because after the initial appointment dated April 29, 1981 he was promoted in 1984 and placed in a different grade by changing the wage structure. He is terminated within a year thereof. So nothing is due to him towards increment because the claim for increments if any has merged with the revision of scale on higher side. So I disallow that claim and pass the following order:

**ORDER**

The application is partly allowed. The Opponent namely the management of M/s Salgaocar Engineers Pvt. Ltd., Vasco da Gama, do pay an amount of Rs. 4597/- (Rupees four thousand five hundred and ninty seven) to the applicant.

There shall be no order as to costs.

*S. V. Nevagi*  
Presiding Officer  
Labour Court

Order

No. 28/81/84-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Dispute Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

*Subhash V. Elekar*, Under Secretary (Labour).

Panaji, 23rd March, 1989.



**IN THE INDUSTRIAL TRIBUNAL  
GOVERNMENT OF GOA  
AT PANAJI**

(Before Shri S. V. Nevagi, Hon'ble Presiding Officer)

Ref. No. IT/45/85

Shri Joaquim Fernandes — Workman/Party I  
V/s  
M/s Chowgule & Co. Pvt. Ltd. — Employer/Party II  
Workman represented by Adv. A. Nigalye.  
Employer represented by Shri D. P. Sinha.

Panaji, Dated: 7-3-1989.

**AWARD**

This is a reference made by the Government of Goa, by its order No. 28/81/84-ILD dated May 23, 1988 with an annexure scheduled thereto which reads as follows:

"Whether the action of the employer M/s. Chowgule and Co. Pvt. Ltd., Mormugao Harbour, Goa (Shipbuilding Division) in not re-employing Shri Joaquim S. Fernandes Mechanic fitter, from 12-1-1982 is legal and justified?"

The above reference is an amendment to an earlier reference dt. 30-9-1985. Both these references are at Exh-1. After the amended reference is received the parties went on trial and the pleadings of the parties are at Exh-12, Exh-13 and Exh-14. Thereafter while the matter was pending trial the parties arrived at a settlement and the settlement is recorded before me today. It has to be noted that the original workman/Party I Joaquim S. Fernandes died on 11-9-87 and his widow Lourdina Maria, son and daughter are brought as legal representatives and the advocate Shri Nigalye appeared on behalf of the L. Rs., while Shri D. P. Sinha appeared for the Party II Chowgule & Co. Out of the three L. R., the son and the daughter are minors and their mother namely the widow is acting for herself as well as guardian for the two children and she has signed the memo of settlement for herself and on behalf of the children as minor guardian. As the terms of settlement are clear and unambiguous I propose to pass the award in terms of the settlement. Hence the following order.

**ORDER**

The workman Shri Joaquim S. Fernandes having expired pending trial there is no question of his re-instatement into service and the question whether the termination is just and legal does not survive for consideration.

However, by way of relief the widow of the deceased workman Lourdina Maria Fernandes do recover an amount of Rs. 12,000 from the employer party II M/s Chowgule & Co. Pvt. Ltd. Mormugao Harbour - Goa, as the dues to the deceased workman in full and final settlement of the claim of the said workman of whatsoever nature against the Party II M/s Chowgule & Co. This amount is payable within ten days from today by a cross cheque or demand draft payable to Smt. Lourdina Maria Fernandes who would receive the amount for herself and on behalf of the two children.

There shall be no order as to costs.

Inform the Govt. accordingly about the passing of the award.

S. V. Nevagi  
Presiding Officer.

**Order**

No. 28/22/86-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Dispute Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 23rd March, 1989.

**IN THE INDUSTRIAL TRIBUNAL  
GOVERNMENT OF GOA  
AT PANAJI**

(Before Shri S. V. Nevagi, Hon'ble Presiding Officer)

Ref. No. IT/17/86

Shri Prabhakar N. Karapurkar — Workman  
V/s  
M/s. Rajendra Vassudeo Deshpabhu — Employer  
Workman represented by Shri K. V. Nadkarni.  
Employer represented by Adv. P. J. Kamat.

Panaji, dated 27-2-1989

**AWARD**

This is a reference made by the Government of Goa, by its order No. 28/22/86-ILD dated July 21, 1986 with an annexure scheduled thereto which reads as follows:

"Whether the action of the management of M/s. Rajendra Vassudeo Deshpabhu, Margao, Salcete-Goa in terminating the services of Shri Prabhakar N. Karapurkar, Counter Salesman w.e.f. the closing hours of 27-3-1985 is legal and justified.

If not, to what relief the workman is entitled to?"

After the above reference was received and registered the Parties appeared and filed their statements. During the pendency of the matter the parties have settled the matter and today the terms of settlement are recorded before me. I therefore pass the following consent award:

**ORDER**

As the workman does not pray the claim for reinstatement. The order of the termination of the service is held to be just and proper in the circumstances of the case.

By way of relief the employer Party II do pay a sum of Rs. 22,000 to Party I workman Prabhakar N. Karapurkar within forty-five days from today. This payment is to be made in accordance to clause A of the terms of settlement in full and final settlement of all his legal dues such as gratuity, retrenchment compensation, back wages, etc. After the amount of Rs. 22,000 is paid by Party II to Party I workman would have no claim of whatsoever nature against the management of Party II.

The Parties do bear their own costs.

Inform the Government accordingly about the passing of the award.

S. V. Nevagi  
Presiding Officer  
Industrial Tribunal

**Order**

No. 28/59/86-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 29th March, 1989.

**IN THE INDUSTRIAL TRIBUNAL  
GOVERNMENT OF GOA  
AT PANAJI**

(Before Shri S. V. Nevagi, Hon'ble Presiding Officer)

Ref. No. IT/65/87

Workmen — Workmen/Party I  
V/s  
M/s Goa State Co-operative Bank — Employer/Party II  
Ltd.  
Workmen represented by Adv. A. Nigalye.  
Employer represented by Adv. G. K. Sardessai.

Panaji, Dated: 28-2-1989

## AWARD

This is a reference made by the Government of Goa, by its order No. 28/59/86-ILD dated October 29, 1987 with an annexure scheduled thereto which reads as follows:

"Whether the action of the Management of M/s Goa State Cooperative Bank Limited, Panaji in denying promotion to the clerical cadre of the workmen mentioned below is legal and justified.

If not, to what relief the workmen are entitled to?"

- |                        |      |
|------------------------|------|
| 1. Shri V. D. Bhagat   | Peon |
| 2. Shri K. V. Kurtikar | Peon |
| 3. Shri P. Karekar     | Peon |
| 4. Shri R. R. Vadil    | Peon |
| 5. Shri G. V. Sawant   | Peon |
| 6. Shri J. Fernandes   | Peon |
| 7. Shri Z. D. Patel    | Peon |
| 8. Shri P. N. Kacharia | Peon |

The above Govt. reference dt. 29-10-1987 which is at Exh. 1 required this Tribunal to find out whether the action of the management in denying promotion to the eight peons mentioned in the reference to the cadre of clerk was just and proper or otherwise. After the parties appeared and filed their pleadings I framed the issues on 19-11-1988 and the parties went on trial. The Issue No. 1 framed by me relates to the benefits of Clause 17 of the settlement dt. 14-10-1983. These peons who took education while in service of the bank felt that because of their educational qualification they became eligible to the cadre of clerk by virtue of the settlement. This was the crux of the whole matter and the matter was posted for hearing.

During the pendency of the matter the union and the management arrived at the settlement and the term of the settlement are recorded before me today. Out of the eight aggrieved peons the management has agreed to take three peons into the clerical cadre w.e.f. 16-1-1989. The settlement is silent as regards the remaining five workmen under reference but the names of two more workmen are added into the settlement with which this Tribunal is not concerned. The settlement is silent about the five peons and it has to be presumed that the union does not press the demand for their promotion or the matter is settled in any other manner. So far as the present settlement goes, I pass the following order.

## ORDER

The present consent award is being passed in terms of the settlement recorded before me today. The management of Party II Goa State Co-operative Bank Limited do promote the following peons:

- 1) Shri V. D. Bhagat
- 2) Shri S. P. Karekar and
- 3) Shri Jose Fernandes

into the cadre of clerical cadre w.e.f. 16-1-1989. The action of the management in denying promotion to them is held to be not just and proper, to that extent. By virtue of this promotion all the disputes of the workmen with the management of the bank are conclusively settled and the workmen shall have no claim of whatsoever nature against the management of the bank.

The action of the management of the bank in respect of the remaining five workmen is held to be just and proper in the circumstances of the case.

The parties do bear their own costs.

Inform the Govt. accordingly about the passing of the consent award.

S. V. Nevagi  
Presiding Officer  
Industrial Tribunal

## Law (Establishment) Department

## District and Sessions Court

Order

No. DSC/PF.GVR/89/2504

Shri G. V. Ratnam, Civil Judge, Sr. Division and Chief Judicial Magistrate, Panaji, is provisionally granted leave for 18 days w.e.f. 1-5-1989 to 18-5-1989 with permission to prefix 30th April, 1989 being Sunday and to suffix vacation from 19-5-1989 to 31-5-1989.

Certified that but for proceeding on leave he would have officiated as Civil Judge, Sr. Div., and Chief Judicial Magistrate, Panaji.

On expiry of leave granted he is likely to be posted in the same station from where he is proceeding on leave.

During Shri G. V. Ratnam's absence on leave the following Judicial Officers are put in-charge of that Court of Civil Judge, Sr. Div., and Chief Judicial Magistrate, Panaji.

- |   |   |
|---|---|
| 1. Shri N. A. Britto, Civil Judge, Sr. Div., and J. M. F. C., Mapusa. | In respect of Suits and Allied Matters. |
|---|---|

From 1-5-1989 to 9-5-1989 and 21-5-1989 to 31-5-1989.

- |   |        |
|---|--------|
| 2. Shri D. R. Kenkre, Civil Judge, Sr. Div., and J. M. F. C., Bicholim. | — do — |
|---|--------|

From 10-5-1989 to 14-5-1989.

- |   |  |
|---|--|
| 3. Shri P. Sundararajan, Civil Judge, Sr. Div., and J. M. F. C., Ponda. | In respect of all the Civil matters including Special Cases as well as Criminal matters. |
|---|--|

From 15-5-1989 to 20-5-1989.

- |  |   |
|--|---|
| 4. Shri S. S. Kamat, Civil Judge, Jr. Div., and J. M. F. C., Panaji. | In respect of Regular Civil Suits and Criminal matters. |
|--|---|

From 1-5-1989 to 14-5-1989 and 21-5-1989 to 31-5-1989.

He is permitted to leave the headquarters for the said period.

Enrico Santana D'Silva, District and Sessions Judge.

Panaji, 26th April, 1989.

## Legislature Department

Order

No. LA/B/ESTT/1424/89

The Special Board constituted under the Goa Legislature Secretariat (Recruitment and Conditions of Service) Rules, 1988 consisting of Speaker, the Chief Minister and Deputy Speaker, orders the enhancement of pay scale for the post of Secretary Legislature from Rs. 3000-4500 to Rs. 4500-150-5700.

The order shall be effective from 30-5-1987 and the incumbent of the post, Shri M. M. Naik, will draw pay in the pay scale of Rs. 4500-150-5700 w.e.f. 30-5-1987.

The expenditure on account of this may be debited to the budget Head "2011-Parliament/State/Union Territory Legislature; 02-State/U. T. Legislature; 103-Legislative Secretariat; 01-Legislature Secretariat of Union Territory; 01-Salaries" for the current financial year 1989-90.

By order and in the name of the Governor of Goa.

A. B. Utman, Under Secretary, Legislature.

Panaji, 21st July, 1989.

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